

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 21-10
Post-Transition Table of DTV Allotments,)	RM-11873
Television Broadcast Stations)	
(Jefferson City, Missouri))	

REPORT AND ORDER

(Proceeding Terminated)

Adopted: April 14, 2021

Released: April 14, 2021

By the Chief, Video Division, Media Bureau:

1. The Video Division, Media Bureau (Bureau), has before it a Notice of Proposed Rulemaking¹ issued in response to a Petition for Rulemaking filed by KRCG Licensee, LLC (Petitioner), the licensee of KRCG (CBS), channel 12, Jefferson City, Missouri. The Petitioner has requested the substitution of UHF channel 29 for VHF channel 12 at Jefferson City in the DTV Table of Allotments.²

2. The Petitioner filed comments in support of the petition, as required by the Commission's rules,³ reaffirming its commitment to applying for channel 29. No other comments were filed. We believe the public interest would be served by substituting channel 29 for channel 12 at Jefferson City. According to the Petitioner, KRCG has received numerous complaints from viewers unable to receive the Station's over-the-air signal, despite being able to receive signals from other stations. Moreover, it states that its channel substitution proposal "will result in more effective building penetration for indoor antenna reception..."⁴ The Petitioner further states that operation on channel 29 will not result in any predicted loss of service and will result in a substantial increase in signal receivability for KRCG viewers.⁵

3. As proposed, channel 29 can be substituted for channel 12 at Jefferson City, Missouri, in compliance with the principal community coverage requirements of section 73.625(a) of the Commission's rules (rules),⁶ at coordinates 38-41-30.0 N and 92-05-45.0 W. In addition, we find that this

¹*Amendment of Section 73.73.622(i), Post-Transition Table of DTV Allotments, Television Stations (Jefferson City, Missouri)*, MB Docket No. 21-10, Notice of Proposed Rulemaking, 36 FCC Rcd 162 (Vid. Div. 2021) (*NPRM*).

² As noted in the *NPRM*, on April 13, 2017, the Commission completed the incentive auction and broadcast television spectrum repacking authorized by the Spectrum Act, and the post-incentive auction transition period ended on July 13, 2020. The Bureau will amend the rules to reflect all new full power channel assignments in a revised Table of Allotments, but because the Table has not yet been amended, the Bureau has continued to refer to the Post-Transition Table of DTV Allotments, 47 CFR § 73.622(i) (2018), for the purpose of this proceeding. See *NPRM*, 36 FCC Rcd at 162, n.1.

³ 47 CFR §§ 1.415, 1.419; see also *Buffalo, Iola, Normangee, and Madisonville, Texas*, Report and Order, MB Docket No. 07-729, 24 FCC Rcd 8192, 8194, para. 9 (Aud. Div. 2009).

⁴ *NPRM*, 36 FCC Rcd at 162-63, para. 2.

⁵ *Id.*

⁶ 47 CFR § 73.625(a).

channel change meets the technical requirements set forth in sections 73.616 and 73.623 of the Commission's rules with the following specifications:⁷

<u>City and State</u>	<u>DTV Channel</u>	<u>DTV Power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop.</u>
Jefferson City, Missouri	29	1000	307.8	748,616

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to section 553(d)(3) of the Administrative Procedure Act.⁸ An expedited effective date is necessary in this case to ensure that KRCG can operate with improved service to its viewers as quickly as possible.⁹

5. Accordingly, pursuant to the authority contained in sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 155(c)(1), 303(g), (r), and 307(b), and sections 0.61, 0.204(b) and 0.283 of the Commission's rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, **IT IS ORDERED**, That effective immediately upon the date of publication in the Federal Register, the DTV Table of Allotments, section 73.622(i) of the Commission's rules, 47 CFR § 73.622(i), **IS AMENDED**, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Jefferson City, Missouri	20, 29

6. **IT IS FURTHER ORDERED**, That within 30 days of the effective date of this Order, KRCG Licensee, LLC shall submit to the Commission a minor change application for a construction permit (Form 2100, Schedule A) specifying channel 29 in lieu of channel 12.

7. **IT IS FURTHER ORDERED**, That pursuant to section 801(a)(1)(A) of the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A), the Commission **SHALL SEND** a copy of the Order to Congress and to the Government Accountability Office.

8. **IT IS FURTHER ORDERED**, That should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 21-10 **SHALL BE TERMINATED** and its docket closed.

9. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Video Division, Media Bureau, (202) 418-1647, Joyce.Bernstein@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁷ 47 CFR §§ 73.616, 73.623.

⁸ 5 U.S.C. § 553(d)(3).

⁹ While Petitioner contends that the channel substitution would benefit ATSC 3.0 reception in addition to ATSC 1.0 reception, *see NPRM*, 36 FCC Rcd at 162-63, para. 2, we do not find that the Licensee's arguments concerning ATSC 3.0 reception to be a controlling factor in our decision, especially given the early stages of deployment and limited availability of consumer devices. *See NPRM*, 36 FCC Rcd at 162-63, para. 2.